

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN ROGER SOMERVILLE**, on March 21, 2001  
at 3:00 P.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Roger Somerville, Chairman (R)  
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)  
Rep. Darrel Adams (R)  
Rep. Joe Balyeat (R)  
Rep. Debby Barrett (R)  
Rep. Ronald Devlin (R)  
Rep. Dave Gallik (D)  
Rep. Steven Gallus (D)  
Rep. George Golie (D)  
Rep. Donald L. Hedges (R)  
Rep. Jim Keane (D)  
Rep. Gary Matthews (D)  
Rep. William Price (R)  
Rep. Allen Rome (R)  
Rep. Frank Smith (D)  
Rep. Donald Steinbeisser (R)  
Rep. Karl Waitschies (R)

**Members Excused:** Rep. Carol C. Juneau, Vice Chairman (D)

**Members Absent:** None.

**Staff Present:** Donna Huffman, Committee Secretary  
Leanne Kurtz, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 358, SB 393, SB 191  
03/21/01.  
Executive Action: SB 358.

**HEARING ON SB 358**

**Sponsor:** Senator Bob DePratu, SD 40.

**Proponents:** Larry Majerus, Vice President of R.L. Polk and Company; Tom Harrison, Lawyer in Helena and Lobbyist for R.L. Polk and Company.

**Opponents:** none.

**Informational Witnesses:** none.

**Opening Statement by Sponsor:**

**Senator DePratu** said this bill helps to clarify getting access to information on vehicles that have been wrecked. He said this clarifies that entities and individuals have the right to get information on the records of vehicles. After a vehicle is re-sold, there will be a title re-issue, and it will indicate that it is a salvage vehicle or has been re-built. This will help the public get access to those records to determine the history of the vehicle and protect the identity of the owner when the vehicle was first wrecked.

**Proponents' Testimony:**

**Larry Majerus** said their company does statistical market analysis, automotive market research and serves all major manufacturers in emissions and safety recalls. One of their products that serves consumers and dealers is the Car Facts Dealers History Report, this report has information containing salvage notations, odometer readings, also shows damage, such as fire or flood, and where to get the accident information in reference. In Montana this information is unavailable because it is restricted, this report does not contain any personal information. They are in support of SB 358.

**Tom Harrison** said he agreed with Mr. Majerus and supports SB 358.

**Opponents' Testimony:** none.

**Questions from Committee Members and Responses:**

*{Tape : 1; Side : A; Approx. Time Counter : 9.3}*

**Rep. Hedges** asked **Mr. Majerus** if this information serve on a manufacturers recall list, after it has been disassembled. **Mr. Majerus** said the manufacturer is responsible for fixing any

defect in a car, if it is the original part, they still have to be responsible in fixing that car.

**Rep. Hedges** asked **Mr. Majerus** if there has been a re-issued title, how would a person find the car. **Mr. Majerus** said they collect all information from all registrations and title transfers. They maintain a database of about 300 million vehicles, from that database, they select all the re-call notices from the files so the information is up to date nationwide.

**Rep. Devlin** asked **Senator DePratu** if an auto dealer or a private individual could call in a Vehicle Identification Number (VIN), and get this information in the State of Montana. **Senator DePratu** said this bill would give them the authorization to release that information to you.

**Rep. Devlin** asked **Senator DePratu** what happens if a vehicle was wrecked in a different state. **Senator DePratu** said that information can be available through the internet and through other services. This brings Montana up to date, where other states are.

**Senator DePratu** said, with some of the manufacturers, once a vehicle has been totaled it voids all warranties and can have some effect on re-calls. If an insurance company has totaled a vehicle, then the manufacturer does not feel responsible for something that might become a defect after it has been damaged that badly. This is one more reason that it is important that this information be available.

**Rep. Gallus** asked **Senator DePratu** if there are 3 total loss vehicles, all same year, model and make, and a salvage person used parts from all three vehicles to make one vehicle, what VIN number would be on that vehicle. **Senator DePratu** said the portion of the vehicle with the door plate on it, remains with the title of the vehicle.

**Closing by Sponsor:**

***{Tape : 1; Side : A; Approx. Time Counter : 16.9}***

**Senator Depratu** said this bill would provide information to the public and would be readily available to them. He urged a Do Concur.

**License Plate Informational Testimony:**

**Charles Tomich** from 3M Company showed informational slides on the new License Plate System. He handed out a folder containing

information on 3M's Digital License Plate Process.

**EXHIBIT**(trh64a01).

*{Tape : 1; Side : A; Approx. Time Counter : 28.7}*

**HEARING ON SB 393**

**Sponsor:** Senator Fred Thomas, SD 31.

**Proponents:** Clint Blackwood, Lewis & Clark Bicentennial Commission; Brenda Nordlund, Department of Justice; Sharon McCabe, Montana Historical Society; Amy Sullivan, Montana Tourism Coalition; Stuart Daggitt, Montana Inn Keepers.

**Opponents:** none.

**Informational Witnesses:** Dean Roberts, Administrator of Motor Vehicle Division of Department of Justice.

**Opening Statement by Sponsor:**

**Senator Thomas** said this bill would establish new license plates for Montana, the Lewis and Clark license plate. The money generated from the Bicentennial plates will go to the Historical Society, and benefits to different projects to take care of Montana visitors and prepare Montana for the visitors to the Lewis and Clark Bicentennial. He said amendments on this bill would co-ordinate with SB 191.

**Proponents' Testimony:**

**Clint Blackwood** handed out a map of the Lewis & Clark Trails System. **EXHIBIT**(trh64a02). The Lewis & Clark Bicentennial will start on January 18, 2003, and will conclude in St. Louis in mid-September of 2006. It is the wish of the State Bicentennial Commission that this be a community-driven observance. They have created a system of 14 regional Bicentennial Commissions around the state, set up on a county or multi-county level. Revenues from a Bicentennial License Plate would go to the state commission and be distributed to non-profit groups interested in developing Lewis & Clark projects.

**Brenda Nordlund** said this bill, in combination with SB 191, is a possibility in the way plates are issued in Montana. She spoke about amendments from Mr. Blackwood. This bill has an immediate effective date and would only apply to plates that are issued after January 1, 2002.

**Sharon McCabe** said the Montana Historical Society supports SB 393, this bill offers a practical way to advertise the Bicentennial and gain needed revenue for it. **EXHIBIT (trh64a03)**.

**{Tape : 1; Side : B; Approx. Time Counter : 10.8}**

**Amy Sullivan** said the Montana Tourism Coalition supports SB 393.

**Stuart Doggitt** said they support SB 393, at the present time, the accommodations tax is funding the Lewis & Clark Bicentennial Commission and will continue to provide funding for that working program. They have done a great job. This bill would provide the funding needed to make grants for other programs across the state and to diversify for a good experience for visitors.

**Opponents' Testimony:** none.

**Questions from Committee Members and Responses:** none.

**Closing by Sponsor:**

**{Tape : 1; Side : B; Approx. Time Counter : 18.1}**

**Senator Thomas** said he recommends this legislation Do Concur and asked Leanne Kurtz to co-ordinate the details.

#### **HEARING ON SB 191**

**Sponsor:** Senator DePratu, SD 40.

**Proponents:** Rep. Cindy Younkin, HD 28; Ben Meyer, Montana 4-H; Brenda Nordlund, Department of Justice; Sarah May, Montana 4-H; Grace Morgan, Gallatin County Open Lands Board; Sara Lipscomb, Montana Children's Trust Fund; Terry Launer, Gallatin County Open Lands Board; Jan Metzmaker, Executive Director of Glacier Fund.

**Opponents:** none.

**Informational Witnesses:** Dean Roberts, Administrator of Motor Vehicle Division; Ross Swanson, Administrator of Montana Correctional Enterprises, Department of Corrections.

**Opening Statement by Sponsor:**

**Senator DePratu** said SB 191 and SB 393 need to work together to achieve the final result. He said there have been specialty license plates since 1987. This is set up so a non-profit organization, which meets the guidelines of the bill, can have

authorized a certain specialty plate. There are about one hundred different organizations right now that have specialty plates. With the new machine and new system, this will be cost effective and would produce plates in a much more time effective manner.

***{Tape : 1; Side : B; Approx. Time Counter : 25}***

**Proponents' Testimony:**

**Rep. Younkin** said she supports SB 191.

**Ben Meyer** said the Montana 4-H has a positive impact for youth in Montana. The additional revenue generated from this bill would be also for Montana 4-H Foundation and Trust and would help generations of Montana youth for years. The Montana 4-H supports SB 191.

**Brenda Nordlund** said this bill gives the opportunity to both government agencies and non-profit organizations to sponsor plates.

***{Tape : 2; Side : A; Approx. Time Counter : 6.3}***

**Sarah May** said many other youth programs in Montana and the Montana 4-H would greatly benefit with the passage of this bill. The Montana 4-H supports SB 191.

**Grace Morgan** said they support SB 191.

**Sara Lipscomb** said the Montana Children's Trust Fund supports SB 191. She spoke on the history of license plates in Montana. This Trust Fund was established by the Legislature in 1985 with the goal of reducing child abuse and neglect. They fund a variety of parent education support, designed to provide voluntary support and resource services to vulnerable families. This would be an effective and voluntary method of generating private dollars to support public goals.

***{Tape : 2; Side : A; Approx. Time Counter : 12.7}***

**Terry Launer** said they support SB 191.

**Jan Metzmaker** said the Glacier Fund is a committee of the National Park Foundation, a congressionally designated non-profit fund raiser for the National Park Service. Glacier National Park is a major attraction for individuals visiting Montana. The Glacier Fund is attempting to address this backlog of needs through a variety of fund-raising projects. By offering an

attractive, colorful license plate depicting Glacier National Park's scenic beauty, they hope to generate funds for the park projects. **EXHIBIT (trh64a04)**.

**Opponents' Testimony:** none.

**Informational Witnesses' Testimony:**

**Dean Roberts** spoke about the Fiscal Note on the bill. He said it's important these two bills be coordinated to be able to purchase the new equipment to do the kinds of covers talked about in the bill.

**Ross Swanson** said he is here for questions from the committee.

**Questions from Committee Members and Responses:**

**Rep. Bookout-Reinicke** asked **Mr. Roberts** if the left over material could be sold to salvage. **Mr. Roberts** said eventually over time it will get used up.

**Dean Roberts** explained more about the equipment system.

***{Tape : 2; Side : B; Approx. Time Counter : 1}***

**Rep. Balyeat** asked **Ms. Nordlund**, in the bill, who would decide what is political and religious. **Ms. Nordlund** said that would be part of the rule making process, it would be part of the Department of Justice's responsibility. There would be parameters to work within.

**Rep. Gallus** asked **Mr. Roberts** if there are any safety concerns with the life span of the reflectiveness of the plates. **Mr. Roberts** said presently the collegiate plates have been out for approximately 8 years, they are made out of the same kinds of materials.

**Rep. Gallus** asked **Mr. Roberts** if he has done a long term cost-benefit of leasing or buying new equipment. **Mr. Roberts** said they have not done a long term cost savings, but presently the Motor Vehicle Division picks up plates from the prison, then takes the plates and make sure they are labeled and boxed. This system gives the ability to produce those labels at the prison site instead of transporting them. This is one way it will be cost saving.

**Rep. Waitschies** asked **Mr. Roberts** if this system is only for light vehicles. **Mr. Roberts** said they can do any kind of plate on this system, including motorcycle plates.

**Rep. Barrett** asked **Ms. Nordlund** if any other state opened up their vanity plates to all takers. **Ms. Nordlund** said there are hundreds of different plates sponsored in different states.

**Rep. Barrett** asked **Ms. Nordlund** if there has been any lawsuits over any plates that are currently in Montana. **Ms. Nordlund** said the most they have had is a complaining letter or a telephone call about a denial on a personalized plate.

**Rep. Devlin** asked **Mr. Roberts** how long the waiting period is after submitting an application for a new plate. **Mr. Roberts** said it is about 2-3 months for a personalized license plate right now. Under this new system it would be a lot less time, probably 10-15 days.

**Chairman Somerville** asked **Mr. Roberts** what the size of the letters of Montana written on the plate is. **Mr. Roberts** said the only thing specified in law right now is, the plate has to have an outline of Montana on the general issue and vanity plates. On the special plate the outline would no longer be needed.

**Closing by Sponsor:**

***{Tape : 2; Side : B; Approx. Time Counter : 26.2}***

**Senator DePratu** said personalized plates and plates that would be done for an organization are two separate things. This is a revenue generator through volunteers. The people who buy these plates buy them voluntarily, they are not required to. They buy these out of pride in the organization they are involved with. He said it is extremely important that the two bills be together, and fund the new machine. It will simplify issuing the license plates down the road.

**EXECUTIVE ACTION ON SB 358**

**Motion/Vote:** **REP. BOOKOUT-REINICKE** moved that **SB 358 BE CONCURRED IN. Motion carried 18-0.**

**Rep. Keane will carry to House.**



**ADJOURNMENT**

Adjournment: 5:30 P.M.

---

REP. ROGER SOMERVILLE, Chairman

---

DONNA HUFFMAN, Secretary

RS/DH

**EXHIBIT** (trh64aad)